

MINUTES OF COUNCIL STUDY AND REGULAR MEETINGS – JUNE 7, 2005

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, JUNE 7, 2005, AT 5:00 P.M., IN THE MULTI-PURPOSE ROOM, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER BY MAYOR NORDFELT.

THE FOLLOWING MEMBERS WERE PRESENT:

Dennis J. Nordfelt
Russ Brooks
Carolynn Burt
Joel Coleman
Margaret K. Peterson
Steve Vincent

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

ABSENT: Barbara Thomas

STAFF PRESENT:

Paul Isaac, Assistant City Manager
Joseph Moore, CED Director
Russell Willardson, Public Works Director
Jim Welch, Finance Director
Kevin Astill, Parks and Recreation Director
Buzz Nielsen, Chief of Police
Van Summers, Fire Chief
Nicole Cottle, Acting City Attorney
Trace Robinson, Public Works Department
Bob Buchanan, CED Department
Aaron Crim, Administration

1. REVIEW AGENDA ITEMS

City Manager, Wayne Pyle, reviewed items added to the Agenda subsequent to the Study Meeting held May 24, 2005, and other items as follows:

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Item No. 10. F. - RESOLUTION NO. 05-220, APPROVE PURCHASE F SEVEN 2006 HARLEY DAVIDSON FLHTP-1 POLICE MOTORCYCLES FOR USE BY THE POLICE DEPARTMENT

City Manager, Wayne Pyle, discussed proposed Resolution No. 05-220 which would approve purchase of seven 2006 Harley Davidson FLHTP-1 police motorcycles from Harley Davidson of Salt Lake in an amount not to exceed \$115,000.00 for use by the Police Department. Mr. Pyle stated Harley Davidson of Salt Lake had the motorcycles on the State Contract and the Police Department desired to use Traffic Mitigation Funds to purchase the motorcycles.

He also stated the Police Department Traffic Division had been an integral part of the traffic enforcement function in the City for many years. In particular, the motorcycle squad assumed the majority of the traffic law enforcement effort in the City in addition to special functions such as parades and escorts.

Mr. Pyle explained the seven oldest motorcycles in the fleet were now four and five years old and had significant mileage; and maintenance costs were rising. The resale values were holding strong at the present time and the requested motorcycles had upgraded technology including an anti-lock braking system. He stated this would significantly enhance the operational safety for the officers. The City Manager stated it was time to replace those older motorcycles to keep the fleet fresh and in top condition. The use of the Traffic Mitigation Funds would also reduce the overall impact on taxpayer monies.

The City Manager answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 05-220 at the Regular Council Meeting scheduled June 7, 2005, at 6:30 P.M.

Item No. 10. G. – RESOLUTION NO. 05-221, APPROVE CHANGE ORDER NO. 1 TO THE CONTRACT WITH MILLER PAVING, INC. FOR CONSTRUCTION OF THE 6000 WEST ROADWAY PROJECT

City Manager, Wayne Pyle, discussed proposed Resolution No. 05-221 which would approve Change Order No. 1 to the Contract with Miller Paving, Inc. in the amount of \$99,422.30 for construction of the 6000 West Roadway Project. Mr. Pyle stated the proposed increased amount would cover cost of additional work required by Union Pacific on four railroad crossings at 6000 West and 6400 West. He also stated the Denver & Rio Grand Bacchus Spur and Garfield Ind. Lead each intersected 6000 West and 6400 West. Union Pacific Railroad Company had required raised concrete islands at each intersection and the proposed amount

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would cover the cost of construction of those islands and other improvements necessary to accommodate the islands.

Public Works Director, Russell Willardson, answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 05-221 at the Regular Council Meeting scheduled June 7, 2005, at 6:30 P.M.

Item Nos. 8. B. AND 10. A. – PUBLIC HEARING, AMEND THE BUDGET OF WEST VALLEY CITY FOR THE FISCAL YEAR BEGINNING JULY 1, 2004, AND ENDING JUNE 30, 2005, TO REFLECT CHANGES IN THE BUDGET FROM INCREASED REVENUES AND AUTHORIZE THE DISBURSEMENT OF FUNDS, RESOLUTION NO. 05-207

City Manager, Wayne Pyle, discussed proposed Resolution No. 05-207 which would amend the Budget of West Valley City for the fiscal year beginning July 1, 2004, and ending June 30, 2005, to reflect changes in the Budget from increased revenues and authorize the disbursement of funds.

Mr. Pyle distributed replacement pages for the budget opening and explained additional line items added subsequent to the first draft in detail. Mr. Pyle also answered questions from members of the City Council.

He stated a public hearing had been scheduled for the Council to hear and consider public comments. The City Council will consider proposed Resolution No. 05-207 at the Regular Council Meeting scheduled June 7, 2005, at 6:30 P.M.

Item No. 8. A. AND 9.A. – PUBLIC HEARING, APPLICATION NO. Z-2-2005, KEN OLSON, AMEND ZONING MAP FROM ZONE ‘A-1’ (AGRICULTURE) TO ZONE ‘R-1-10’ (RESIDENTIAL, SINGLE-FAMILY, MINIMUM 10,000 SQ. FT. LOT SIZE); APPROXIMATELY 6222 SOUTH UT HIGHWAY 111, ORDINANCE NO. 05-25

City Manager, Wayne Pyle, discussed proposed Application No. Z-2-2005, filed by Ken Olson and proposed Ordinance No. 05-25 which would amend the Zoning Map from zone ‘A-1’ (Agriculture) to zone ‘R-1-10’ (Residential, Single-Family, Minimum 10,000 sq. ft. lot size) for properties located at approximately 6222 South UT Highway 111.

Mr. Pyle stated based on previous questions from members of the City Council; he had requested CED Director, Joseph Moore, to further review the application and proposed ordinance.

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CED Director, Joseph Moore, displayed a map and pointed out City boundaries in relation to the subject property and UT Highway 111. Mr. Moore stated the developer had been acquiring adjacent property located in Salt Lake County and it was currently in the approval process. He further stated that property would tie into the property and development in West Valley City including expansion of the proposed trail system. He also showed a more detailed map of the subject property including the uses of surrounding properties. He indicated development of the area could result in being the “west bench” of the Salt Lake Valley.

Upon discussion, members of the Council inquired and expressed comments as follows: the proposal should be considered with the overall master planning of the “west bench;” who would have responsibility for maintenance of the open space; less open space with larger lots would be more desirable; requiring a Special Improvement District would insure open space would be maintained; concern that developers were attempting to convince the City that smaller lots were what people desired when, in fact, most people moved to other communities for larger lots; and this proposed development would be viewed as a “step up” in quality and livable area in West Valley City.

CED Director, Joseph Moore, further discussed the proposed lot sizes for various parcels in the proposal and advised the average lot size would be 8,758 square feet.

In response to further comments by members of the City Council, City Manager, Wayne Pyle, advised at least an 80 foot frontage would accommodate larger homes with three-car garages. Members of staff also discussed alternatives that might meet those concerns previously expressed by the City Council regarding lot widths which would then increase the overall lot size.

CED Director, Joseph Moore, stated the proposed development had been well designed, tied in open spaces with the trail system, and all lots had good access to the trail system. He indicated quality homes would be constructed per terms of the proposed development agreement. During the above discussion, CED Director, Joseph Moore, also answered questions from members of the City Council.

CED Director, Joseph Moore, stated the applicant, Ken Olson, was in attendance at the Study Meeting and could answer any additional questions from members of the City Council.

Mr. Ken Olson, applicant, addressed the City Council and specifically discussed two issues previously raised by the Council. He indicated a major expense would

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be the wall and open space which would be done at the start of the development. He also displayed a color-coded map detailing lots with additional frontage or backed onto the open space. He also discussed the number and location of some of the smaller lots in the proposed development. Mr. Olson advised he would make a formal presentation at the scheduled public hearing regarding this matter. He also answered additional questions from members of the City Council.

City Manager, Wayne Pyle, answered questions from members of the City Council.

The City Council will hold a public hearing regarding Application No. Z-2-2005 and consider proposed Ordinance No. 05-25 at the Regular Council Meeting scheduled June 7, 2005, at 6:30 P.M.

Item No. 11. B. – APPLICATION NO. S-1-2005, IVORY HOMES, WESTRIDGE ESTATES SUBDIVISION - PHASE 1, FINAL PLAT APPROVAL, 15.7 ACRES/55 LOTS, ZONE ‘R-1-7,’ 5224 SOUTH 5600 WEST

City Manager, Wayne Pyle, discussed Application No. S-1-2005, filed by Ivory Homes, requesting final plat approval for Westridge Estates Subdivision - Phase 1 located at 5224 South 5600 West. Mr. Pyle stated the first phase of the Westridge Estates Subdivision consisted of 55 lots on approximately 15.7 acres with lots ranging in size from 7,350 square feet to 12,858 square feet. He further stated although zoned ‘R-1-7’ the majority of lots were in excess of 8,000 square feet.

CED Director, Joseph Moore, displayed the plat map and discussed suggestions by the Planning Commission regarding the development proposal, which suggestions staff had not endorsed.

City Manager, Wayne Pyle, stated Ivory Homes wanted to install a pillar and vinyl fence along an existing road and inquired if the Council would be inclined to approve that concept.

CED Director, Joseph Moore, stated stamped concrete and curb would also be installed near the drop-off area for students at the adjacent elementary school. He further discussed access for children who walked to school, landscaping including placement of trees, lot sizes, and access to adjacent developments, etc. Mr. Moore stated representatives of Ivory Homes were in attendance at the meeting if the Council had any additional questions.

Mr. Chris Gamvroulas, Ivory Homes, stated closing on Ivory’s purchase of the subject City-owned property was scheduled for June 15, 2005. He also discussed

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fence requirements in the Development Agreement and explained reasons for the type of fence being installed on certain property in the development, which would be an upgrade outside the development agreement. He also requested two conditions improved by the Planning Commission be removed from the final plat (see Staff Report, Planning Commission Minutes and “Exhibit E” of the Development Agreement). He answered questions from members of the City Council during the above discussion.

Upon further discussion, Mayor Nordfelt summarized that the two conditions discussed were not in the proposed Development Agreement and were part of the information provided in “Exhibit E” and the Planning Commission Minutes, all previously received by members of the City Council. City Manager, Wayne Pyle, recommended the Development Agreement remain as is.

Councilmember Burt stated she would be in favor of a masonry wall on such a busy street.

City Manager, Wayne Pyle, answered questions from members of the City Council.

The City Council will consider Application No. S-1-2005 at the Regular Council Meeting scheduled June 7, 2005, at 6:30 P.M.

2. REVIEW AGENDA ITEM, REDEVELOPMENT AGENCY MEETING SCHEDULED JUNE 7, 2005

Upon request by Councilmember Burt, City Manager, Wayne Pyle, discussed proposed Resolution No. 05-07 to be presented at the Redevelopment Agency Meeting scheduled June 7, 2005.

Bob Buchanan, CED Department, further clarified the original agreement with Colosimo Brothers. He also discussed the background of the Colosimo development including wetlands and dilapidated structures needing to be removed. He indicated staff had negotiated with Colosimo that if they took care of some “public interest improvements,” including installation of sidewalks and other improvements, additional tax increment would be given to them for that purpose. He further discussed details of the negotiations with Colosimo. Councilmember Burt requested further clarification of certain language in the proposed agreement. Mr. Buchanan stated he was working with the City Attorney’s Office to modify some ambiguous language in the proposed agreement. He answered additional questions from members of the City Council during the above discussion.

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City Manager, Wayne Pyle, stated the Colosimo development was a perfect example of a very appropriate and good use of redevelopment project areas. He indicated many compliments regarding the project had been received from Salt Lake County officials and officials from other cities.

3.

COMMUNICATIONS:

A. MAJOR STREET PLAN DISCUSSION

CED Director, Joseph Moore, displayed a map and discussed a road in the area of 5600 West and 2700 South. Mr. Moore stated the proposed road had appeared on the Major Street Plan for many years. He also stated as the area developed, staff found some designs might not work as planned. He indicated if redesigned to be functional, it would not longer meet requirements to remain on the Major Street Plan.

Trace Robinson, CED Department, distributed and further discussed the site plan and options for design of a public alley-way that would connect to Glen Eagles Drive. CED Director, Joseph Moore, stated staff would come to the City Council in the future to request the subject road be taken off the Major Street Plan. During the above discussion, CED Director, Joseph Moore, and Trace Robinson, CED Department, answered questions from members of the City Council.

B. COUNCILMEMBER JOEL COLEMAN – SPEED BUMPS DISCUSSION; PARENT EDUCATION NETWORK; AND ELECTRONIC PACKETS

Councilmember Coleman stated a study of 4400 South had been completed and he inquired if speed bumps could be installed at that location. Public Works Director, Russell Willardson, stated the study focused on if a crossing guard would be warranted. He indicated staff had responded to the school principal and informed that speeds had been at the 35 miles per hour threshold. Councilmember Coleman stated the community council would like a four-way stop installed at that location. The Public Works Director indicated willingness to meet with the community council to review options.

Councilmember Coleman requested input from the City Council regarding PEN (Parent Education Network) meetings being held at City Hall the last Thursday of each month; as rooms at the Family Fitness Center were booked. Mayor Nordfelt stated he would not be comfortable with PEN meeting at City Hall as it would appear this effort had been orchestrated by the City.

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Councilmember Coleman also inquired regarding progress of electronic Council packets. City Manager, Wayne Pyle, provided a report on progress to date regarding electronic packets.

C. COUNCILMEMBER MARGARET PETERSON – KIVA SOFTWARE

Councilmember Peterson informed she read a quarterly report which stated the Animal Control Division could not use KIVA software and desired to go back to the former system. City Manager, Wayne Pyle, provided an update regarding this issue and how the Animal Control and Ordinance Enforcement Division would be trying to solve problems and issues including possibly moving away from the KIVA software.

D. COUNCILMEMBER RUSS BROOKS – CITATIONS ISSUED REGARDING CHARLES DRIVE

Councilmember Brooks requested reports regarding Charles Drive and the number of citations issued for speeding in the recent past. He also complimented the Public Works Department regarding recent improvements on the street.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE STUDY MEETING OF TUESDAY, JUNE 7, 2005, WAS ADJOURNED AT 6:28 P.M., BY MAYOR NORDFELT.

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, JUNE 7, 2005, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER BY MAYOR NORDFELT.

THE FOLLOWING MEMBERS WERE PRESENT:

Dennis J. Nordfelt
Russ Brooks (Left the meeting as noted)
Carolynn Burt
Joel Coleman
Margaret K. Peterson
Steve Vincent

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

ABSENT: Barbara Thomas

STAFF PRESENT:

Paul Isaac, Assistant City Manager
Russell Willardson, Public Works Director
Jim Welch, Finance Director
Buzz Nielsen, Chief of Police
Kevin Astill, Parks and Recreation Director
Van Summers, Fire Chief
Nicole Cottle, Acting City Attorney
Trace Robinson, Public Works Department
Bob Buchanan, CED Department

12232 OPENING CEREMONY

The Opening Ceremony was conducted by Joel Coleman who led the Pledge of Allegiance to the Flag.

**12233 APPROVAL OF MINUTES OF STUDY AND REGULAR MEETINGS
HELD MAY 17, 2005**

The Council read and considered the Minutes of the Study and Regular Meetings held May 17, 2005. There were no changes, corrections or deletions.

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After discussion, Councilmember Burt moved to approve the Minutes of the Study and Regular Meetings held May 17, 2005, as written. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Ms. Peterson	Yes
Mayor Nordfelt	Yes

Unanimous.

12234

COMMENT PERIOD

The following individuals addressed the City Council during the Comment Period:

Ms. Julie Erickson, 1635 Stratford Avenue, addressed the City Council regarding ordinance problems of junk cars, mobile homes in driveways and living arrangements. Ms. Erickson stated she had previously spoken to Kelly Davis and other staff members; but none of the issues had been resolved to date. She indicated, over the past several years, she had contacted the Ordinance Enforcement Division and the Police Department regarding two specific vehicles. She inquired what residents in that area could do regarding this issue. She stated there was a vacant foundry currently being used as a meth lab and the Police Department would do nothing about it. She displayed a list of addresses with ordinance violations previously reported to the Ordinance Enforcement Division. She provided the list of addresses to the Mayor and stated she had another meeting scheduled with Ordinance Enforcement staff the following day. She discussed various violations in the area and stated she remained frustrated with the lack of attention by City staff and that no progress had been made in resolving the problems.

Upon inquiry, there was no one else who desired to speak during the Comment Period.

12235

JERRY SCHLIEF, PUBLIC WORKS DEPARTMENT, EMPLOYEE OF THE MONTH – MAY 2005

Mayor Nordfelt read the nomination for and presented the Employee of the Month Award for May 2005 to Jerry Schlief, Public Works Department. Mr. Schlief had

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been nominated for his outstanding and impromptu thoughtfulness and donations to people in need during the last holiday season. The City Council congratulated Mr. Schlieff and expressed appreciation for his thoughtfulness and dedication to West Valley City.

12236 SCOTT ZEIDLER, UTAH DIVISION OF FORESTRY, FIRE AND STATE LANDS, PRESENTATION OF TREE CITY USA AWARD TO WEST VALLEY CITY (RESCHEDULED FROM MAY 17, 2005)

City Manager, Wayne Pyle, introduced Scott Zeidler, Utah Division of Forestry, Fire and State Lands. Mr. Zeidler addressed the City Council and recognized West Valley City for its efforts and participation in the Tree City USA Program. He stated West Valley City had met the criteria to receive the Tree City USA Award for the 10th year. He presented the Award to Mayor Nordfelt. Mayor Nordfelt accepted the award on behalf of the City Council and expressed appreciation to City Manager, Wayne Pyle, and City staff for earning the prestigious award.

12237 PUBLIC HEARING, APPLICATION NO. Z-2-2005, KEN OLSON, AMEND ZONING MAP FROM ZONE ‘A-1’ (AGRICULTURE) TO ZONE ‘R-1-10’ (RESIDENTIAL, SINGLE-FAMILY, MINIMUM 10,000 SQ. FT. LOT SIZE), APPROXIMATELY 6222 SOUTH UT HIGHWAY 111, ORDINANCE NO. 05-25

City Manager, Wayne Pyle, presented Application No. Z-2-2005, filed by Ken Olson, and proposed Ordinance No. 05-25 which would amend the Zoning Map from zone ‘A-1’ (Agriculture) to zone ‘R-1-10’ (Residential, Single-Family, Minimum 10,000 sq. ft. lot size) for properties located at approximately 6222 South UT Highway 111.

Mr. Pyle stated the request to change the zone for two parcels totaled 85.4 acres. He also stated surrounding zones included ‘A’ to the north, ‘A-1’ to the south and a portion of the east, and ‘R-1-10’ for the remaining east portion. The property to the west fell within Salt Lake County and was zoned A-20 (Agriculture, minimum lot size 20 acres), and owned by Kennecott. The property was surrounded by vacant or agricultural ground. The subject property had also been designated Low Density Residential which allowed three to four units per acre as specified in the City’s General Plan. He indicated if the re-zone was approved, the applicants planned to develop the property as a single-family dwelling Planned Unit Development (PUD).

The City Manager stated the conceptual subdivision layout indicated a total of 249 lots, one of which would be approximately seven acres and reserved for future commercial use. For all of the other 248 lots the proposed minimum lot

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size was 7,200 square feet with an average lot size of 8,723 square feet. The resulting density, excluding the commercial property, would be 3.2 units per acre. He indicated the Planning Commission recommended eliminating three lots to increase the amount of open space. The open space system would consist of trails, parks and an open space hilltop, and future trail development could allow for a large connecting loop in the subject area.

He further indicated the applicant had submitted a draft development agreement similar to the Hunter Village development agreement.

City Manager, Wayne Pyle, stated a public hearing had been scheduled for the Council to hear and consider public comments.

Mayor Nordfelt opened the public hearing.

Mr. Ken Olson, applicant, addressed the City Council. Mr. Olson stated he and the other owners/developers were very excited regarding the proposed project. He displayed a map with reserved commercial area near the proposed interchange in which the Utah Department of Transportation (UDOT) would be constructing future improvements. He also distributed drawings and other written information to members of the City Council. (The written information was not provided to the City Recorder). He discussed the location and type of fencing, design of entry ways to the development, open space and trail system, landscaping, and terms of the development agreement and covenants. He also discussed that no front yard fencing would be allowed in order to maintain an “open feel” with tree lined streets. He indicated the design features would set the development apart from others in West Valley City. Walkout basements would be required for homes near higher elevations. He stated there would be a unique feel and character of the development with the proposed changes in elevation. He further stated buyers who desired open spaces and trail systems would be targeted. He indicated the trail system could tie into other developments in the County. He stated staff desired the lower trail to be paved to accommodate bicycles, roller blades and strollers. The upper trail would remain more natural for hiking, walking, mountain biking, etc. He displayed a photograph of a natural area with an arbor-type structure and benches. He indicated there would be spectacular views of the Valley from the subject property and it would be a beautiful community and set a precedent near U-111. Mr. Olson stated there had been three components incorporated into the plan, as follows: 1) Open space and trails; 2) Quality homes – 65% masonry, larger size, design features; and 3) Wide range of lots with features such as backing or fronting open space, larger size or wider frontages to accommodate large homes with three car garages. He stated minimum requirements had been far exceeded in doing a planned unit development (PUD)

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which was at the bottom as far as density. He indicated the proposed project would be a “win/win” for the City and the developers/owners. He also discussed expenses to be incurred regarding improvements to U-111. He stated the Planning Commission process had taken two months and then the Planning Commission voted unanimously to approve the project. Mr. Olson requested approval of the proposal.

Upon further discussion by members of the City Council, Mr. Olson responded to various questions and comments regarding frontages of specific lots, length of the trail system, structure and responsibilities of a homeowners association, possible complaints and problems with unpaved trails and that maintenance of open space would put a burden on the homeowners association. Concern was also expressed with plans for commercial development in the area, too much hard surface and not enough planted materials, and the high cost of watering the amount of grass in the open space. Some Councilmembers stated they liked the upgraded homes and square footages and the trail system, but had reservations regarding the small lots proposed. Some Councilmembers indicated they would not want to burden the City with additional maintenance of open space and would rather see a homeowners association have that responsibility. The City Council inquired regarding how many lots would be lost if the Council required 80 foot minimum frontage on all lots and if basements were included in the minimum square footage amounts for the dwellings.

Mr. Bob Strang, one of the owners of the subject property, addressed the City Council and commented on the number of lots that would be lost if frontages were increased.

Mr. Brent Rushton, 5491 West 4100 South, addressed the City Council and stated he represented a number of owners of property to the south of the subject property. Mr. Rushton stated those property owners supported the proposed project and envisioned their property could be developed in the same manner in the future. He also expressed the need to coordinate utilities and roads with the properties to the south.

Mr. Russell Fox, representing Kennecott Lands, addressed the City Council. Mr. Fox stated this was one of the developments that would break the U-111 barrier and get close to Kennecott pipelines. He requested the City make sure fencing was installed to eliminate access to Kennecott property. He indicated he had no other concerns. He stated the proposal was similar in some ways to future development of the area planned by Kennecott.

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There being no one else to speak either in favor or in opposition, Mayor Nordfelt closed the public hearing. (Refer to Item No. 12238)

Upon discussion, members of the City Council commented the City was committed to trails; but expressed concern regarding that burden of maintenance being placed on a homeowners association. Some members of the Council expressed a desire to start with the homeowners association having that responsibility first and see how it worked. The Council inquired if criteria for maintaining the trail system would be included in the development agreement. Some members indicated they had not been initially happy with the proposal; but the applicant had done a good job of presenting his vision. Some members of the City Council expressed a desire for larger home sizes on the prime real estate with a minimum standard of 80 foot frontage. A possible wildlife issue in the area was also discussed and Councilmembers inquired if that issue had been addressed. The City Council indicated the proposed project would “break new ground” literally and figuratively and desired that such a “west bench” concept be an area of pride in the City. Discussion also ensued regarding assurances that all general services such as fire, police and garbage collection could be provided.

In response to comments by members of the City Council, Mr. Olson expressed a willingness to add language to the Development Agreement indicating the City could take over maintenance of the trail system in the future if so desired.

City Manager, Wayne Pyle, responded to questions regarding the provision of services in the area and stated those services could be adequately provided as Diamond Summit was in the same area and there had been no problems providing services in that location.

12238

ORDINANCE NO. 05-25, APPLICATION NO. Z-2-2005, KEN OLSON, AMEND ZONING MAP FROM ZONE ‘A-1’ (AGRICULTURE) TO ‘R-1-10’ (RESIDENTIAL, SINGLE-FAMILY, MINIMUM 10,000 SQ. FT. LOT SIZE), APPROXIMATELY 6222 SOUTH UT HIGHWAY 111

The City Council previously held a public hearing regarding Application No. Z-2-2005, filed by Ken Olson, and proposed Ordinance No. 05-25 which would amend the Zoning Map from zone ‘A-1’ (Agriculture) to ‘R-1-10’ (Residential, Single-Family, Minimum 10,000 sq. ft. lot size) for properties located at approximately 6222 South UT Highway 111.

After discussion, Councilmember Brooks moved to approve Application No. Z-2-2005 and Ordinance No. 05-25, An Ordinance Amending the Zoning Map to Show a Change of Zone for Property Located at Approximately 6222 South UT Highway 111 from Zone 'A-1' (Agriculture) to ‘R-1-10’ (Residential, Single-

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Family, Minimum 10,000 sq. ft. lot size). Councilmember Burt seconded the motion. (Refer to Item No. 12237)

A roll call vote was taken:

Mr. Vincent	No
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Ms. Peterson	No
Mayor Nordfelt	Yes

Majority.

12239

RESOLUTION NO. 05-209, APPROVE DEVELOPMENT AGREEMENT WITH KEN OLSON, BOB STRANG AND MAC8, LLC, FOR APPROXIMATELY 85.4 ACRES OF LAND BEING DEVELOPED IN THE VICINITY OF 6222 SOUTH UT HIGHWAY 111 (APPLICATION NO. Z-2-2005)

City Manager, Wayne Pyle, presented proposed Resolution No. 05-209 which would approve a Development Agreement with Ken Olson, Bob Strang and Mac8, LLC, for approximately 85.4 acres of land being developed in the vicinity of 6222 South UT Highway 111 (Application No. Z-2-2005).

After discussion, Councilmember Vincent moved to approve Resolution No. 05-209, A Resolution Authorizing the City to Enter Into a Development Agreement with Ken Olson, Bob Strang, and Mac8, LLC, for Approximately 85.4 Acres of Land Being Developed in the Vicinity of 6222 South UT Highway 111. Councilmember Brooks seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Ms. Peterson	No
Mayor Nordfelt	Yes

Majority.

Councilmember Brooks was excused and left the meeting at 7:55 P.M.

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- 12240 **PUBLIC HEARING, AMEND THE BUDGET OF WEST VALLEY CITY FOR THE FISCAL YEAR BEGINNING JULY 1, 2004, AND ENDING JUNE 30, 2005, TO REFLECT CHANGES IN THE BUDGET FROM INCREASED REVENUES AND AUTHORIZE THE DISBURSEMENT OF FUNDS, RESOLUTION NO. 05-207**

City Manager, Wayne Pyle, presented proposed Resolution No. 05-207 which would amend the Budget of West Valley City for the fiscal year beginning July 1, 2004, and ending June 30, 2005, to reflect changes in the Budget from increased revenues and authorize the disbursement of funds. City Manager, Wayne Pyle, stated a public hearing had been scheduled for the Council to hear and consider public comments.

Mayor Nordfelt opened the public hearing. There being no one to speak either in favor or in opposition, Mayor Nordfelt closed the public hearing. (Refer to Item No. 12241)

- 12241 **RESOLUTION NO. 05-207, AMEND THE BUDGET OF WEST VALLEY CITY FOR THE FISCAL YEAR BEGINNING JULY 1, 2004, AND ENDING JUNE 30, 2005, TO REFLECT CHANGES IN THE BUDGET FROM INCREASED REVENUES AND AUTHORIZE THE DISBURSEMENT OF FUNDS**

The City Council previously held a public hearing regarding proposed Resolution No. 05-207 which would amend the Budget of West Valley City for the fiscal year beginning July 1, 2004, and ending June 30, 2005, to reflect changes in the Budget from increased revenues and authorize the disbursement of funds.

After discussion, Councilmember Burt moved to approve Resolution No. 05-207, A Resolution Amending the Budget of West Valley City for the Fiscal Year Beginning July 1, 2004, and Ending June 30, 2005, to Reflect Changes in the Budget From Increased Revenues and Authorizing the Disbursement of Funds. Councilmember Peterson seconded the motion. (Refer to Item No. 12240)

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Ms. Peterson	Yes
Mayor Nordfelt	Yes

Unanimous.

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12242 **PUBLIC HEARING, AUTHORIZE POLICE DEPARTMENT TO APPLY FOR JUSTICE ASSISTANCE GRANT (J.A.G.) THROUGH U.S. DEPARTMENT OF JUSTICE PROGRAMS, RESOLUTION NO. 05-208**

City Manager, Wayne Pyle, presented proposed Resolution No. 05-208 which would authorize the Police Department to apply for a Justice Assistance Grant (J.A.G.) through the U.S. Department of Justice Programs in the amount of \$127,216.00. Mr. Pyle stated the subject grant funds would be used to purchase equipment, fund approved programs and pay salaries for employees administering the programs.

The procedure for allocating JAG funds was a formula based on population and crime statistics in combination with a minimum allocation to ensure each state and territory received an appropriate share. The Edward Byrne Memorial Justice Assistance Grant Program would allow states and local governments to support a broad range of activities to improve the criminal justice system. JAG had replaced the Byrne Formula and Local law Enforcement Block Grant Programs.

Mr. Pyle indicated the Police Department conducted an assessment of the records management system including police officers' completed reports. During the audit of those reports, it had been determined the need existed to shorten the amount of time an officer spent completing incident reports. If officers spent less time on the completion of reports (paperwork) they could respond to other calls much quicker. It had been determined many of the police reports could be completed on a handheld PDA (Personal Digital Assistant) or computer while speaking with a complainant. The majority of report information could be self populated, wireless technology, from the dispatch terminal to the officer's handheld PDA, thus saving time.

In a conservative time analysis estimate, the Police Department could save the equivalent of hiring up to 10.25 police officers. If 85 patrol officers saved fifteen minutes on a report daily (four reports equal one hour) it would equal 10.25 officers. There would be additional time savings through the Police Department's records management personnel as well.

City Manager, Wayne Pyle, stated a public hearing had been scheduled for the Council to hear and consider public comments.

Mayor Nordfelt opened the public hearing. There being no one to speak either in favor or in opposition, Mayor Nordfelt closed the public hearing. (Refer to Item No. 12243)

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12243 **RESOLUTION NO. 05-208, AUTHORIZE THE POLICE DEPARTMENT TO APPLY FOR JUSTICE ASSISTANCE GRANT (J.A.G.) THROUGH THE U.S. DEPARTMENT OF JUSTICE PROGRAMS**

The City Council previously held a public hearing regarding proposed Resolution No. 05-208 which would authorize the Police Department to apply for a Justice Assistance Grant (J.A.G.) in the amount of \$127,216.00 through the U.S. Department of Justice Programs.

After discussion, Councilmember Peterson moved to approve Resolution No. 05-208, A Resolution Authorizing the West Valley City Police Department to Apply for a Justice Assistance Grant (J.A.G.) Through the U.S. Department of Justice Programs. Councilmember Burt seconded the motion. (Refer to Item No. 12242)

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Ms. Peterson	Yes
Mayor Nordfelt	Yes

Unanimous.

12244 **ORDINANCE NO. 05-26, AMEND SECTIONS 23-6-105 AND 23-6-107 OF TITLE 23 OF THE WEST VALLEY CITY MUNICIPAL CODE REGARDING ANIMAL CONTROL**

City Manager, Wayne Pyle, presented proposed Ordinance No. 05-26 which would amend Sections 23-6-105 and 23-6-107 of Title 23 of the West Valley City Municipal Code regarding animal control. Mr. Pyle stated the proposed ordinance would make two minor changes to the existing ordinances by adding new language to Section 23-6-105, Redemption of Impounded Animals; and Section 23-6-107, Sterilization Deposits, for clarification as to when sterilization deposits would be required. He also stated in Section 23-6-105(b) the language stated, “if required.” He indicated that should be removed and replaced with “unless already altered.” In Section 23-6-107(1) the first sentence referred to adoption and should be replaced with the language “adoption/redemption.”

After discussion, Councilmember Peterson moved to approve Ordinance No. 05-26, An Ordinance Amending Sections 23-6-105 and 23-6-107 of Title 23 of the West Valley Municipal Code Regarding Animal Control. Councilmember Burt seconded the motion.

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A roll call vote was taken:

Mr. Vincent	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Ms. Peterson	Yes
Mayor Nordfelt	Yes

Unanimous.

12245 **RESOLUTION NO. 05-210, APPROVE ROAD IMPACT FEES REIMBURSEMENT AGREEMENT WITH HUNTER VILLAGE, L.C. FOR ROADWAY IMPROVEMENTS AT HUNTER VILLAGE PHASE 15 AND 16 SUBDIVISIONS LOCATED AT APPROXIMATELY 6730 WEST PARKWAY BOULEVARD AND 6920 WEST 3100 SOUTH**

City Manager, Wayne Pyle, presented proposed Resolution No. 05-210 which would approve a Road Impact Fees Reimbursement Agreement with Hunter Village, L.C. for roadway improvements at Hunter Village Phase 15. Mr. Pyle stated Hunter Village, L.C. had provided certain roadway improvements to the City's major roadway system in excess of those necessary to provide for adequate access to the subject project. The affected roads, which were part of the City's Major Street Plan, were Parkway Boulevard and 3100 South.

As part of the construction of the Hunter Village Phase 15 and 16, the developer had agreed to provide certain roadway improvements in excess of those necessary to provide for adequate access to their subdivision project. Section 8/4/103(4) of the City Code provided the City could reimburse the developer for the cost of constructing improvements to the extent those costs exceeded the cost the developer was obligated to expend under City ordinances and State law for road improvements. He further advised the total potential reimbursement that might become payable to the developer would be in the amount of \$68,417.00.

After discussion, Councilmember Vincent moved to approve Resolution No. 05-210, A Resolution Authorizing the City to Enter Into a Road Impact Fees Reimbursement Agreement with Hunter Village, L.C. for Roadway Improvements. Councilmember Coleman seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Coleman	Yes
Ms. Burt	Yes

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Ms. Peterson	Yes
Mayor Nordfelt	Yes

Unanimous.

12246

RESOLUTION NO. 05-211, AUTHORIZE CITY TO EXECUTE A QUIT-CLAIM DEED BETWEEN THE CITY AND PAULINE S. DOBSON FOR PROPERTY LOCATED AT APPROXIMATELY 2200 SOUTH LESTER STREET (5700 WEST)

City Manager, Wayne Pyle, presented proposed Resolution No. 05-211 which would authorize the City to execute a Quit-Claim Deed between the City and Pauline S. Dobson for property located at approximately 2200 South Lester Street (5700 West).

Mr. Pyle stated as part of the SID (Special Improvement District) the City had committed \$200,000.00 in Class C Road funds to pave 2300 South and Lester Street (5700 West) in the salvage yards. The Haynes Subdivision Plat recorded in the late 1800's showed the main road into the salvage yards, 2300 South, to be located south of where the dirt/gravel road (2300 South) was currently located. The public had used the road in its current location for many years. The public had a right to continued use of the road; but to clear this up staff had negotiated a land swap with the Dobsons and the Wabels on the north side of the road. By vacating the right-of-way and transferring via a quit-claim deed to the Dobsons, the Dobsons became willing to transfer property to Wabel to compensate him for the lost property that would become part of the road. Staff had been able to facilitate this series of exchanges; but the Council had not yet authorized the formal signing of the Quit-Claim Deed.

He indicated the Council had already vacated the northernmost alley/right-of-way that set in motion this series of exchanges. Wabel had been unwilling to give up his property in the existing road without being made whole in some manner. Wabel and Dobson had been very cooperative and already signed their respective deeds anticipating the City's quit-claim.

After discussion, Councilmember Burt moved to approve Resolution No. 05-211, A Resolution Authorizing the City to Execute a Quit-Claim Deed between the City and Pauline S. Dobson for Property Located at Approximately 2200 South Lester Street (5700 West). Councilmember Peterson seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
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Mr. Coleman	Yes
Ms. Burt	Yes
Ms. Peterson	Yes
Mayor Nordfelt	Yes

Unanimous.

12247 **RESOLUTION NO. 05-220, APPROVE PURCHASE OF SEVEN 2006 HARLEY DAVIDSON FLHTP-1 POLICE MOTORCYCLES FOR USE BY THE POLICE DEPARTMENT**

City Manager, Wayne Pyle, presented proposed Resolution No. 05-220 which would approve purchase of seven 2006 Harley Davidson FLHTP-1 police motorcycles from Harley Davidson of Salt Lake in an amount not to exceed \$115,000.00 for use by the Police Department. Mr. Pyle stated Harley Davidson of Salt Lake had the motorcycles on the State Contract and the Police Department desired to use Traffic Mitigation Funds to purchase the motorcycles.

Mr. Pyle also stated the Police Department Traffic Division had been an integral part of the traffic enforcement function in the City for many years. In particular, the motorcycle squad assumed the majority of the traffic law enforcement effort in the City in addition to special functions such as parades and escorts. The seven oldest motorcycles in the fleet were now four and five years old and had significant mileage; and maintenance costs were rising. Resale values were holding strong at the present time and the requested motorcycles had upgraded technology including an anti-lock braking system. He explained this would significantly enhance the operational safety for the officers. The use of the Traffic Mitigation Funds would also reduce the overall impact on taxpayer monies. The City Manager stated it was time to replace those older motorcycles to keep the fleet fresh and in top condition.

After discussion, Councilmember Peterson moved to approve Resolution No. 05-220, A Resolution Approving the Purchase of Seven 2006 Harley Davidson FLHTP-1 Police Motorcycles for use by the Police Department. Councilmember Coleman seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Ms. Peterson	Yes
Mayor Nordfelt	Yes

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Unanimous.

12248

RESOLUTION NO. 05-221, APPROVE CHANGE ORDER NO. 1 TO THE CONTRACT WITH MILLER PAVING, INC. FOR CONSTRUCTION OF THE 6000 WEST ROADWAY PROJECT

City Manager, Wayne Pyle, presented proposed Resolution No. 05-221 which would approve Change Order No. 1 to the Contract with Miller Paving, Inc. in the amount of \$99,422.30 for construction of the 6000 West Roadway Project. Mr. Pyle stated the proposed increased amount would cover cost of additional work required by Union Pacific on four railroad crossings at 6000 West and 6400 West. He also stated the Denver & Rio Grand Bacchus Spur and Garfield Ind. Lead each intersected 6000 West and 6400 West. Union Pacific Railroad Company had required raised concrete islands at each intersection and the proposed amount would cover the cost of construction of those islands and other improvements necessary to accommodate the islands.

After discussion, Councilmember Vincent moved to approve Resolution No. 05-221, A Resolution Authorizing Change Order No. 1 to the Contract with Miller Paving, Inc. for Construction of the 6000 West Roadway Project. Councilmember Burt seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Ms. Peterson	Yes
Mayor Nordfelt	Yes

Unanimous.

12249

APPLICATION NO. S-20-2004, CLARK TAYLOR, HUNTER MEADOWS SUBDIVISION, AMEND ORIGINAL FINAL PLAT APPROVAL, 2.71 ACRES, 8 LOTS, ZONE 'R-1-8' AND 'RB,' 3510 SOUTH 5200 WEST

City Manager, Wayne Pyle, presented Application No. S-20-2004, filed by Clark Taylor, requesting to amend the original final plat for Hunter Meadows subdivision located at 3510 South 5200 West.

Mr. Pyle stated the Council had reviewed and approved the Hunter Meadows Subdivision in October of 2004. He indicated subsequent to that approval, City staff had been negotiating the dedication of 3500 South (as it related to the plat)

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with the applicant and Utah Private Property Ombudsmen. During the subdivision process, UDOT (Utah Department of Transportation) requested 3500 South be dedicated to its full half width of 53 feet. That would have meant an additional 20 feet of dedication by the applicant. He further stated, after discussions with the applicant, the City determined the subdivision plat would reflect the existing dedication of 33 feet. The applicant would resolve the additional dedication with UDOT at a later date.

After discussion, Councilmember Peterson moved to approve Application No. S-20-2004, filed by Clark Taylor, and Give Approval to Amend the Final Plat for Hunter Meadows Subdivision. Councilmember Burt seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Ms. Peterson	Yes
Mayor Nordfelt	Yes

Unanimous.

12250

APPLICATION NO. S-1-2005, IVORY HOMES, WESTRIDGE ESTATES SUBDIVISION - PHASE 1, FINAL PLAT APPROVAL, 15.7 ACRES, 55 LOTS, ZONE 'R-1-7,' 5224 SOUTH 5600 WEST

City Manager, Wayne Pyle, presented Application No. S-1-2005, filed by Ivory Homes, requesting final plat approval for Westridge Estates Subdivision - Phase 1 located at 5224 South 5600 West. Mr. Pyle stated the first phase of the Westridge Estates Subdivision consisted of 55 lots on approximately 15.7 acres with lots ranging in size from 7,350 square feet to 12,858 square feet. He further stated although zoned 'R-1-7' the majority of lots were in excess of 8,000 square feet.

Mr. Pyle indicated as part of the purchase agreement between the City and Ivory Homes, a development agreement had been created. The development agreement ensured a combination of varying lot sizes, streetscape improvements and upscale housing standards. He indicated a copy of the design guidelines were attached as part of the application.

Access to the first phase of the subdivision would be gained from 5600 West, Westridge Boulevard, 5085 South and Silver Hills Drive. Each of those streets would have different improvements. The Engineering Division would review the proposed cross sections for each right-of-way.

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Mr. Pyle further stated the subject property sloped gently from the southwest to the northeast. The existing slopes would create a challenge for storm water drainage. The Public Works Department was reviewing the site to determine the best method for handling the water. Storm water would be placed in 5600 West and would eventually end up going into the golf course to the north. While there were many issues regarding storm water, grading and drainage, the developer's engineer continued to work with the Public Works Department to resolve those matters.

The proposed subdivision was located in the outer ring of the Overpressure Zone. City ordinance would require certain construction standards be applied for all new dwellings. Ivory Homes was familiar with those standards from building in the Bridle Farms Subdivision.

A geotechnical report had been prepared for the subdivision. The report indicated ground water had not been encountered to a depth of 12 feet. A copy of that report and recommendations had been provided to the City's Engineering Division and Building Official.

He further stated the subdivision would be located in an area likely to yield additional traffic and increased noise from the nearby USANA amphitheater. As part of the City's purchase agreement, Ivory Homes would engage a qualified sound engineer to evaluate those impacts. Depending upon the outcome of the study, Ivory Homes had committed to install mitigation devices or improvements recommended by the engineer.

After discussion, Councilmember Coleman moved to approve Application No. S-1-2005, filed by Ivory Homes, and Give Final Plat Approval for Westridge Estates Subdivision – Phase 1. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Ms. Peterson	Yes
Mayor Nordfelt	Yes

Unanimous.

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12251 APPLICATION NO. PUD-2-2005, RANDY MOORE, HUNTER VILLAGE SUBDIVISION - PHASE 18, FINAL PLAT APPROVAL, 12.8 ACRES, 48 LOTS, ZONE 'R-1-10,' 3400 SOUTH 7000 WEST

City Manager, Wayne Pyle, presented Application No. PUD-2-2005, filed by Randy Moore, requesting final plat approval for Hunter Village Subdivision - Phase 18 located at 3400 South 7000 West. Mr. Pyle stated Hunter Village PUD had received preliminary approval in November of 2000. To date, Phases 1 through 17 had been recorded with the Salt Lake County Recorder's Office.

Mr. Pyle stated Phase 18 was situated west of Phases 8 and 10 and would be located between the Thomasville Manor Subdivision to the south and the Hunter Willows subdivision to the north. He also stated the final plat for Phase 18 differed from the preliminary plat because of an error found during the initial survey of the final plat. The development site contained 1.2 acres less than what had been previously thought. The developer would like to keep the same density as was approved during the preliminary plat phase; however, that would allow lots less than the required 10,000 square feet and would necessitate an amendment to the recorded Development Agreement.

The City Manager discussed a chart illustrating the differences between the preliminary and final plat. He stated keeping the same number of lots would decrease the average lot size by approximately 1,100 square feet. Although the average lot size would decrease, the overall 'R-1-10' zones would still account for 37% of all lots in the Hunter Village PUD over 10,000 square feet. In addition, that number did not reflect other acres in Hunter Village where lot sizes were above 10,000 square feet.

He indicated all of Hunter Village was guided by a Development Agreement. In order to create diversity; the Development Agreement addressed building size, lot size, architectural style, building materials, front yard landscaping and open space areas. The agreement, while quite extensive, had proved to be successful in accomplishing its goal of providing a variety of housing options.

Access to the subdivision would be gained from a stub street in previous phases of the development. The proposed subdivision would also provide two additional stub streets to access the Thomasville Manor Subdivision to the south and the Hunter Willows Subdivision to the north. The street cross section would be similar to those in other phases of Hunter Village. The park strip width would be six feet and planted with a specific tree variety as required in the Development Agreement.

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He reported that during the Planning Commission hearing, concerns had been expressed regarding the loss of larger lots. However, those concerns had been off set by the developer's commitment to build all homes at the 'R-1-10' standard of 1,400 square feet for a rambler and 1,600 square feet for a two-story dwelling. In addition, all dwellings would be constructed with 100% masonry materials.

He further indicated if the Council approved the Application; it would necessitate a future resolution to amend the recorded Development Agreement. Staff would propose such a resolution to the Council at a later date if Phase 18 was approved as submitted.

After discussion, Councilmember Peterson moved to approve Application No. PUD-2-2005, filed by Randy Moore, and Give Final Plat Approval for Hunter Village PUD Subdivision – Phase. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Ms. Peterson	Yes
Mayor Nordfelt	Yes

Unanimous.

12252

CONSENT AGENDA:

A. RESOLUTION NO. 05-212, RATIFY CITY MANAGER'S REAPPOINTMENT OF KEITH L. STONEY AS A WEST VALLEY CITY JUSTICE COURT JUDGE FOR A FOUR YEAR TERM COMMENCING JULY 1, 2005

City Manager, Wayne Pyle, presented proposed Resolution No. 05-212 which would ratify the City Manager's reappointment of Keith L. Stoney as a West Valley City Justice Court Judge for a four year term commencing July 1, 2005. Mr. Pyle stated Keith L. Stoney had served as the first Justice Court Judge since July 1, 2001. He also stated Judge Stoney met all eligibility requirements for a Justice Court Judge as set forth in Section 78-5-137, Utah Code Annotated, 1953, as amended.

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B. RESOLUTION NO. 05-213, RATIFY CITY MANAGER'S APPOINTMENT OF LINDA MEYERS AS A MEMBER OF THE ARTS COUNCIL OF WEST VALLEY CITY, TERM: JUNE 7, 2005 - DECEMBER 31, 2005

City Manager, Wayne Pyle, presented proposed Resolution No. 05-213 which would ratify the City Manager's appointment of Linda Meyers as a member of the Arts Council of West Valley City. Mr. Pyle stated on December 7, 2004, the Council adopted an ordinance creating the Cultural Arts Board (CAB) and reorganized the groups falling within that Board. The West Valley City Arts Council, Utah Cultural Celebration Center Advisory Board, Historical Society and Sister City Committee had been reorganized and the appointment of members and chairs had been accomplished. He advised there was currently a vacancy on the Arts Council and Linda Meyers had expressed a desire to serve in that capacity.

C. RESOLUTION NO. 05-214, RATIFY CITY MANAGER'S APPOINTMENT OF JED HANSEN AS A MEMBER OF THE ARTS COUNCIL OF WEST VALLEY CITY, TERM: JUNE 7, 2005 - DECEMBER 31, 2005

City Manager, Wayne Pyle, presented proposed Resolution No. 05-214 which would ratify the City Manager's appointment of Jed Hansen as a member of the Arts Council of West Valley City for the term June 7, 2005, through December 31, 2005. Mr. Pyle stated on December 7, 2004, the Council adopted an ordinance creating the Cultural Arts Board (CAB) and reorganized the groups falling within that Board. The West Valley City Arts Council, Utah Cultural Celebration Center Advisory Board, Historical Society and Sister City Committee had been reorganized and the appointment of members and chairs had been accomplished. He advised there was currently a vacancy on the Arts Council and Jed Hansen had expressed a desire to serve in that capacity.

D. RESOLUTION NO. 05-215, RATIFY CITY MANAGER'S APPOINTMENT OF BRENDA CLARK TO THE CLEAN AND BEAUTIFUL COMMITTEE, TERM: JULY 1, 2005 - JUNE 30, 2007

City Manager, Wayne Pyle, presented proposed Resolution No. 05-215 which would ratify the City Manager's appointment of Brenda Clark to the Clean and Beautiful Committee for the term July 1, 2005, through June 30, 2007. Mr. Pyle stated Ms. Clark had expressed a desire to serve on the Committee.

E. **RESOLUTION NO. 05-216, APPROVE RIGHT-OF-WAY AGREEMENT WITH IVAN LAMAR JONES, JR. AND GUNHILD S. JONES, 4396 SOUTH 3200 WEST; ACCEPT WARRANTY DEED, 3200 WEST IMPROVEMENT PROJECT**

City Manager, Wayne Pyle, presented proposed Resolution No. 05-216 which would approve a Right-of-Way Agreement with Ivan Lamar Jones, Jr. and Gunhild S. Jones for property located at 4396 South 3200 West and accept a Warranty Deed regarding the 3200 West Improvement Project. Mr. Pyle stated Ivan Lamar Jones, Jr. and Gunhild S. Jones had signed the Right-of-Way Agreement and Warranty Deed. He further stated the subject parcel was one of the properties affected by construction of 3200 West from 4100 South to 4700 South. He indicated the owners had executed a Warranty Deed for the purchase of right-of-way for a 15' x 15' triangle on the southeast corner of their lot to accommodate construction of a handicap ramp and possible future traffic signal. He reported total compensation for the right-of-way would be in the amount of \$500.00.

F. **RESOLUTION NO. 05-217, ACCEPT WARRANTY DEED FROM IVAN LAMAR JONES, JR. AND GUNHILD S. JONES, 4396 SOUTH 3200 WEST, 3200 WEST IMPROVEMENT PROJECT**

City Manager, Wayne Pyle, presented proposed Resolution No. 05-217 which would accept a Warranty Deed from Ivan Lamar Jones, Jr. and Gunhild S. Jones for property located at 4396 South 3200 West regarding the 3200 West Improvement Project. Mr. Pyle stated Ivan Lamar Jones, Jr. and Gunhild S. Jones had signed the Warranty Deed. He indicated the subject parcel was one of the properties affected by construction of 3200 West from 4100 South to 4700 South. He indicated the owners had requested installation of an optional parking pocket in front of their property and the subject Warranty Deed would donate additional right-of-way necessary to install the parking pocket along the existing 33 foot prescriptive right-of-way on 3200 West and the 30 foot half width prescriptive right-of-way on 4400 South.

G. **RESOLUTION NO. 05-218, ACCEPT GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM KIM V. STEWART AND DARLEEN G. STEWART, 3500 SOUTH 6522 WEST, 3500 SOUTH STORM DRAIN PROJECT**

City Manager, Wayne Pyle, presented proposed Resolution No. 05-218 which would accept a Grant of Temporary Construction Easement from Kim V. Stewart and Darleen G. Stewart for property located at 3500 South 6522 West regarding the 3500 South Storm Drain Project. Mr. Pyle stated Kim V. Stewart and Darleen G. Stewart had signed the Grant of

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Temporary Construction Easement. He indicated the subject parcel was one of the properties affected by construction of the 3500 South Storm Drain Project. He advised compensation for the construction easement would be in the amount of \$200.00 and the easement would automatically expire December 31, 2006.

- H. **RESOLUTION NO. 05-219, ACCEPT SPECIAL WARRANTY DEED FROM VKW ASSOCIATES, LC, 5246 WEST 3500 SOUTH**
City Manager, Wayne Pyle, presented proposed Resolution No. 05-219 which would accept a Special Warranty Deed from VKW Associates, LC for properties located at 5246 West 3500 South. Mr. Pyle stated the Special Warranty Deed had been signed by VKW Associates, LC. He indicated VKW Associates were in the process of developing two adjoining properties to construct the new Hunter Animal Hospital and as a condition for obtaining a building permit dedication of a portion of 3500 South to a 53 foot half width had been required.

After discussion, Councilmember Coleman moved to approve Resolution Nos. 05-212, 05-213, 05-214, 05-215, 05-216, 05-217, 05-218 and 05-219 as presented on the Consent Agenda. Councilmember Burt seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Ms. Peterson	Yes
Mayor Nordfelt	Yes

Unanimous.

12253

MOTION FOR EXECUTIVE SESSION

After discussion, Councilmember Coleman moved to adjourn the Regular Meeting and reconvene in an Executive Session after completion of the scheduled Redevelopment Agency and Housing Authority Meetings; for discussion of the professional competency and character of an individual. Councilmember Peterson seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Coleman	Yes

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Ms. Burt	Yes
Ms. Peterson	Yes
Mayor Nordfelt	Yes

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, JUNE 7, 2005, WAS ADJOURNED AT 8:17 P.M., BY MAYOR NORDFELT.

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THE WEST VALLEY CITY COUNCIL MET IN AN EXECUTIVE SESSION ON TUESDAY, JUNE 7, 2005, AT 8:25 P.M., IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER BY MAYOR NORDFELT.

THE FOLLOWING MEMBERS WERE PRESENT:

Dennis J. Nordfelt
Carolynn Burt
Joel Coleman
Margaret K. Peterson
Steve Vincent

Wayne Pyle, City Manager

ABSENT: Russ Brooks
Barbara Thomas

STAFF PRESENT:

Paul Isaac, Assistant City Manager

SWORN STATEMENT

As the Mayor, I presided at a closed meeting of the West Valley City Council on June 7, 2005. Pursuant to Section 52-4-7.5 Utah Code annotated, 1953 as amended, I hereby sign this sworn statement and affirm that the sole purpose for closing the meeting was to discuss the character, professional competence, or physical or mental health of an individual.

SWORN to this _____ day of _____, 2005.

MAYOR

ATTEST:

City Recorder

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THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE EXECUTIVE SESSION OF JUNE 7, 2005, WAS ADJOURNED AT 9:43 P.M., BY MAYOR NORDFELT.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the West Valley City Council Study and Regular Meetings and Executive Session held June 7, 2005.

Sheri McKendrick, CMC
City Recorder